

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

GENETIC TECHNOLOGIES LTD., :
: Plaintiff, :
: v. : C.A. No. 12-394-LPS
: :
: BRISTOL-MYERS SQUIBB :
COMPANY, :
: Defendant. :

GENETIC TECHNOLOGIES LTD., :
: Plaintiff, :
: v. : C.A. No. 12-396-LPS
: :
: MERIAL LLC, :
: Defendant. :

O R D E R

At Wilmington this **30th** day of **October, 2014**,

IT IS HEREBY ORDERED that:

1. Bristol-Myers Squibb Company and Merial LLC 's Motions to Dismiss for Failure to State a Claim (C.A. No. 12-394 D.I. 35; C.A. No. 12-396 D.I. 52) are GRANTED with regard to claim 1 of the '179 patent and DENIED WITHOUT PREJUDICE in all other respects.

2. The parties shall submit a joint status report, no later than November 6, 2014, advising the Court as to their proposal(s) for how these cases should proceed, including whether Defendants intend to renew their challenges to the validity of additional claims of the '179 patent

and/or the claims of the '762 patent; and, if so, when and how these challenges to validity should be addressed by the Court, in light of today's ruling.



L. P. D.
UNITED STATES DISTRICT JUDGE